



## MAYOR AND COUNCIL REGULAR MEETING NOTICE & AGENDA

The City of Tucson has a council-manager form of government. Policies are set by the Mayor and Council, who are elected by the people. Policies are carried out by the City Manager, who is appointed by the Mayor and Council. The Mayor and Council decides what is to be done; the City Manager, operating through the entire City staff, does it.

### REGULAR COUNCIL MEETINGS

The Mayor and Council usually meet the first four Tuesdays of each month in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.

#### 5:30 p.m. session [Order of business]

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• Invocation and Pledge of Allegiance</li> <li>• Presentations</li> <li>• Summary of Current Events</li> <li>• Liquor license applications</li> <li>• Consent Agenda</li> </ul> | <ul style="list-style-type: none"> <li>• Call to the Audience. Individuals may speak up to three minutes. Call to the Audience will be limited to thirty minutes. Speakers may address any matter except items noticed as a Public Hearing.</li> <li>• Public Hearings. Individuals may speak up to five minutes. Each public hearing is limited to one hour.</li> <li>• Other Mayor and Council business as listed on the agenda for the meeting.</li> </ul> |
|--|---|

Copies of the agenda are available during the meeting. Additionally, the agenda, as well as reference documents, are available in the City Clerk's office prior to each meeting and on the City's web site. : [www.tucsonaz.gov/agdocs](http://www.tucsonaz.gov/agdocs)

Ordinances and resolutions (the laws of Tucson) are considered during regular meetings. Those adopted with the emergency clause and the affirmative vote of five members of the Council take effect immediately. Those adopted without the emergency clause take effect thirty days after passage. Unless the Mayor or a member of the Council requests that an ordinance or resolution be read in full, it is read by number and title only. Routine items are scheduled under the heading of Consent Agenda, which allows a number of actions to occur with a single motion.

To better serve everyone in the community, the Mayor and Council chambers is wheelchair accessible. An assistive listening system for the hearing impaired is in place and closed captioning is available on cable television. A request for reasonable accommodation for persons with disabilities must be made in the City Clerk's Office at least two working days prior to the meeting and can be made by calling 791-4213 or 791-2639 (TDD).

**Spanish language interpreting assistance is available during the meeting. If you need assistance, contact the Council Reporter located near the front, right side of the Chambers.**

### PARTICIPATION BY THE PUBLIC

As a courtesy to others, please turn off or put in vibrate mode all pagers and cell phones.

To address the Mayor and Council:

- Complete a speaker's card and deposit it in the tray on the podium. Upon being recognized, state your name, address, whether you reside in the City of Tucson and whom you represent, before proceeding. Any person who is representing people other than themselves and is receiving compensation to influence an action by the Mayor and Council, shall, before speaking, identify themselves as a "retained speaker".
- Submit written comments to the Mayor and Council (via the City Clerk) prior to and during the meeting.
- Call the Mayor and Council Citizen Comment Line at 791-4700 or write the City's Web Site, [www.tucsonaz.gov/agdocs](http://www.tucsonaz.gov/agdocs). Your comments will be transcribed and distributed to the Mayor and Council.

Persons attending the meeting shall observe rules of propriety, decorum, and good conduct, and refrain from impertinent or slanderous remarks. Violation of this rule shall result in such persons being barred from further audience before the governing body. A copy of the complete rules and regulations may be obtained from the City Clerk.

**Robert E. Walkup – Mayor**  
**Steve Leal – Vice Mayor**

#### Council Members

|                       |               |                         |               |
|-----------------------|---------------|-------------------------|---------------|
| <b>José J. Ibarra</b> | <b>Ward 1</b> | <b>Shirley C. Scott</b> | <b>Ward 4</b> |
| <b>Carol W. West</b>  | <b>Ward 2</b> | <b>Steve Leal</b>       | <b>Ward 5</b> |
| <b>Karin Uhlich</b>   | <b>Ward 3</b> | <b>Nina J. Trasoff</b>  | <b>Ward 6</b> |

Revisions to the agenda can occur up to 24 hours prior to the meeting. Contact the City Clerk at 791-4213 (TDD: 791-2639), FAX: 791-4017 or WEB SITE: [www.tucsonaz.gov/agdocs](http://www.tucsonaz.gov/agdocs), 9<sup>th</sup> floor, City Hall, 255 W. Alameda for up-to-date information Monday through Friday, 8:00 a.m. to 5:00 p.m. [holidays excepted]. Live coverage of the meeting is cablecast on Tucson 12. In addition, replays of the meetings are cablecast on Tucson 12 as follows:  
 Wednesdays – 9:00 p.m.                      Thursdays – 9:00 a.m.                      Sundays – 9:00 a.m.  
 VHS tapes of meetings are available at the Tucson Main Library, 101 N. Stone.



# MAYOR & COUNCIL MEETING NOTICE & AGENDA

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Mayor and Council and to the general public that the Mayor and Council will hold the following meeting which will be open to the public:

## REGULAR MEETING

**TUESDAY, MARCH 21, 2006 – 5:30 P.M.**  
**MAYOR AND COUNCIL CHAMBERS**  
**(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)**

- 1. ROLL CALL**
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE**

INVOCATION – Reverend Kim Taylor, American Evangelical Lutheran Church

PLEDGE OF ALLEGIANCE – The El Presidio Charter High School will lead the Mayor, Council and audience in the Pledge of Allegiance

### PRESENTATIONS

- a. Proclamation – Proclaiming March 14 through April 29, 2006 to be “Arizona Multihousing Association Project S.A.F.E. Month”

- 3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**

- a. Report from City Manager MARCH21-06-126 CITY-WIDE

- 4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS**

- a. Report from City Manager MARCH21-06-127 CITY-WIDE

## 5. LIQUOR LICENSE APPLICATIONS

a. Report from City Manager MARCH21-06-123 CITY-WIDE

b. Liquor License Applications

### Person/Location Transfer

1. Iguana Cafe, Ward 6  
210 E. Congress  
Applicant: Jesus Padilla-Zepeda  
Series 07, City 11-06  
Action must be taken by: April 1, 2006

Staff has indicated the applicant is in compliance with city requirements.

NOTE: State law provides that for a person and location transfer, Mayor and Council may consider both the applicant's capability, qualifications, reliability and location issues. (A.R.S. Section 4-203; R19-1-102)

c. Special Event

1. Tucson Breakfast Lions Club, Ward 5  
4823 S. 6th Ave.  
Applicant: Wayne Francis Locke  
City T05-06  
Date of Event: April 7 & 8, 2006  
Fundraiser

Staff has indicated the applicant is in compliance with city requirements.

2. Tucson International Mariachi Conference, Inc., Ward 6  
900 S. Randolph Way  
Applicant: Alfonso Dancil  
City T08-06  
Date of Event: April 29, 2006  
Raise Funds for La Frontera Center, Inc.

Staff has indicated the applicant is in compliance with city requirements.

3. Tucson International Mariachi Conference, Inc, Ward 6  
414 N. Toole Ave.  
Applicant: Frank Valenzuela  
City T09-06  
Date of Event: May 5, 2006  
Raise Funds for La Frontera Center, Inc.

Staff has indicated the applicant is in compliance with city requirements.

4. One-on-One Partners, Ward 6  
200 S. 6th Avenue  
Applicant: Veronique Madeleine Pardee  
City T10-06  
Date of Event: March 30, 2006  
Raise Funds and Awareness for One-on-One Juvenile Mentoring Program

Staff has indicated the applicant is in compliance with city requirements.

5. Barrio Hollywood's Fiesta Grande, Inc., Ward 1  
Grande Avenue/St. Mary's/Speedway  
Applicant: Erica M. Dahl-Bredine  
City T11-06  
Date of Event: April 22 & 23, 2006  
Neighborhood Street Fair

Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change

1. Golden Nugget Tavern, Ward 3  
2617 N. 1st Ave.  
Applicant: Sandra C. Kientz  
Series 06, City AC05-06  
Action must be taken by: April 2, 2006

Staff has indicated the applicant is in compliance with city requirements.

NOTE: The local governing body of the city, town or county may protest the acquisition of control within sixty days based on the capability, reliability and qualification of the person acquiring control. (A.R.S. Section 4-203.F)

**6. CONSENT AGENDA – ITEMS A THROUGH M**

**FOR COMPLETE DESCRIPTION OF ITEMS**  
**SEE ATTACHED CONSENT AGENDA**

Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired by members of the governing body, that item will be removed from the Consent Agenda and will be considered separately.

**7. CALL TO THE AUDIENCE**

At this time, any member of the public is allowed to address the Mayor and City Council on any issue except for items scheduled for a public hearing at the meeting. Speakers are limited to three minute presentations. Speakers must state their name, address, whether they reside in the City of Tucson, whom they represent, and the subject matter. Any person who is representing a person other than themselves and is receiving compensation to influence an action by the Mayor and Council, shall, before speaking, identify themselves as a “retained speaker”. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience".

**8. PUBLIC HEARING: ZONING C9-02-32 (RZ06-2) A-C INVESTMENT – AJO WAY, R-1/R-2/I-1 TO I-1, CHANGE OF PRELIMINARY DEVELOPMENT PLAN AND CHANGE OF CONDITIONS**

- a. Report from City Manager MARCH21-06-138 WARD 5
- b. Hearing on a request for a change of preliminary development plan and change of conditions as it applies only to the 2.1-acre site identified as Parcel #1 of the original rezoning case (C9-02-32). The parcel is located on the southeast corner of the Ajo Way Road and Kino Boulevard intersection, at the I-10 interchange. Applicant: Charlie Dean, with Community by Design, on behalf of the property owner, Summit Development Group LLC.

The original development plan proposed a 16,000 square foot mixed-use light industrial/manufacturing park comprised of two, one-story buildings on 2.1 acres.

The revised preliminary development plan proposes a 121 room four-story extended stay hotel (single building) with a 48,000 square foot (12,000 square foot building footprint) with a building height of fifty-one (51) feet on 2.1 acres. There will be no bar or restaurant located in the hotel.

Staff recommends approval of the requested change of preliminary development plan and change of conditions subject to the following recommended conditions which are based upon the original conditions established by Mayor and Council on April 7, 2003 and amended on December 20, 2005.

New text is underlined.

1. A development plan in substantial compliance with the preliminary development plan dated October 25, 2005 for parcel 2, and the revised preliminary development plan dated January 18, 2006 for parcel 1, and the revised Design Compatibility Report, is to be submitted and approved in accordance with the requirements of the *Land Use Code*.
2. The City of Tucson Department of Transportation shall approve a site design for Parcel 2 that demonstrates the south/north bound traffic lanes on the Kino Parkway ramp are safe, accessible, and maneuverable for large commercial vehicles, such as but not limited to semi-tractor trailers, which require servicing or delivering to this site, using the Kino Parkway ramp entrance.
3. All structures on Parcel 2 shall be a maximum of thirty-six (36) feet in height, and shall be comparable in building mass and setbacks with the adjacent Pima County Government Complex.
4. All primary activity shall occur within enclosed buildings.
5. Service bay doors on Parcel 2 shall be placed facing the interior of the site. Interior buildings shall be prohibited from locating service bay doors which are oriented toward the residential neighborhood, unless one of the following screening options has been installed:
  - a. The construction of an eight foot high masonry wall, along the entire northern and eastern perimeter; or
  - b. After completion of all perimeter buildings along the northern and eastern perimeter, interior buildings may locate service bay doors to the north or east after demonstrating that the service bay doors are screened from the residential neighborhood by the perimeter buildings.
6. The south, east, and north property lines of Parcel 2 shall include an embellished landscape buffer, comparable in depth, and shall match the density of trees, plants, shrubs, and groundcover material as established by the Pima County Juvenile Facility along Ajo Way. If the property is developed in phases, these improvements shall be completed with the first phase.

7. All noise-generating-uses, including but not limited to trash enclosures, loading zones, and outdoor mechanical equipment, shall be appropriately screened and located a minimum of fifty (50) feet from the northern and eastern property lines.
8. Any required or proposed masonry screen walls shall be constructed of, or painted with, graffiti-resistant materials. These screen walls shall incorporate one of the following decorative materials: (a) tile, (b) stone, (c) brick, (d) textured brick/block, (e) a coarse-textured material such as stucco or plaster, or (f) a combination of the above materials.
9. Any continuous wall greater than seventy-five (75) feet in length and three (3) feet in height visible from the public right-of-way shall vary the wall alignment (jog, curve, notch, or setback, etc.) and include trees or shrubs in the voids created by the variations.
10. An archaeological assessment and survey shall be performed by a qualified archaeologist before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and associated burial items are discovered, ground disturbing activities in the vicinity of the discovery will cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.
11. “Safe by Design” concepts shall be incorporated in the development plan for review by the Tucson Police Department.
12. Outdoor lighting shall be full cut-off – shielded and directed downward and away from residential uses, no more than twenty (20) feet in height from the eventual grade of the site measured to the light source.
13. Any access point to the parcels from Ajo Way shall be a minimum of 150 feet from the intersection of Interstate-10 and Kino Parkway access ramps as measured from the westernmost curb return from the access ramps to the easternmost curb return at the driveways to the parcels.
14. Dedication, or verification of the existence, of right-of-way as shown on the *Major Streets and Routes Plan* map, shall be provided, including all intersection widening, along all streets, including a thirty (30) foot radius spandrel at all street corners.
15. Right turn/deceleration lanes shall be provided at all access points.

16. Any existing curb cuts not approved for access shall be closed.
17. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
18. Five years are allowed from the date of initial authorization to comply with all Code requirements and conditions of rezoning.
19. The development plan shall incorporate and show any proposed phases.
20. A traffic impact analysis shall be required.
21. Any additional modifications to the interchange or signalization required by the Traffic Impact Analysis shall be at no expense to the City or ADOT.
22. The owner/developer shall provide an Airport Disclosure Statement to run with the land, as required by the Tucson Airport Authority (TAA).
23. The roadway improvements required by these conditions are necessary traffic safety measures for the increased use of the property and are not capacity improvements of the arterial roadway system as provided in Tucson Code, Section 23A-87, and therefore do not qualify as offsets to road impact fees.
24. Building height for Parcel 1 shall not exceed sixty (60) feet.
25. Provide enhanced all-sided architectural design of the hotel (elevations to be submitted at time of Development Plan review.
26. Perimeter property lines of Parcel 1 shall include an embellished landscape buffer, comparable in depth, and density of trees, plants, shrubs, and groundcover material as established by the Pima County Juvenile Facility along Ajo Way. Landscape design should emphasize safe-by-design principles.
27. Provide pedestrian friendly connectivity to the public facilities.
28. Minimize access to Ajo Way and the off-ramp loop as determined by TDOT and ADOT.

Zero (0) written approvals and zero (0) written protests have been received for this request. A simple majority vote will be necessary to adopt an ordinance rezoning the subject property once the conditions of rezoning are met.



9. **ZONING: (C9-05-28) DESCO SOUTHWEST – GRANT ROAD, R-1 TO O-3, CITY MANAGER’S REPORT**

- a. Report from City Manager MARCH21-06-136 WARD 2
- b. Report from Zoning Examiner dated February 17, 2006
- c. Request to rezone approximately 3.5 acres from R-1 (Low-density Urban Residential) to O-3 (Mid-rise Office) zoning. Applicant: Linda Morales of The Planning Center, on behalf of the property owner, Michael Sarabia of DESCO Southwest.

The rezoning site is located on the north side of Grant Road, approximately one-half mile east of Wilmot Road.

The *Arcadia-Alamo Area Plan* and the *General Plan* provide land use policy direction for this area. The general goals of the Arcadia-Alamo Area Plan provide a guide for future development by preserving and protecting the integrity of established low-density neighborhoods, by identifying appropriate locations for new development and by protecting and enhancing vegetation and open space along the Alamo, Arcadia and Rosehill Washes. Guidelines for the location of nonresidential uses in the *Plan* area include appropriate design elements, buffering techniques and compatible building mass and scale with adjacent uses. The *General Plan* recommends building setback and building height transitions across the site, promotes a mixture of commercial, office and residential uses along major transportation corridors and promotes quality design with visually harmonious development adjacent to residential neighborhoods. The proposed development is generally consistent with policies specified in the *Arcadia/Alamo Area Plan* and the *General Plan*.

The Zoning Examiner and Development Services Department recommend authorization of O-3 zoning. Should the Mayor and Council choose to approve the rezoning request, it is recommended that the following conditions be included:

1. A development plan in substantial compliance with the revised preliminary development plan dated February 8, 2006, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 5.3.8. of the *Land Use Code*.
2. All conditions requiring improvements to the arterial road system or the regional park system set forth in this ordinance shall be in addition to any required roadway or park impact fees and shall not be eligible to be calculated as offsets against any impact fees.
3. The owner/developer shall submit a Category I Traffic Impact Analysis.

4. Vehicular access to the site shall be limited to one point along Grant Road and be located at the western-most point of the property along the street frontage as indicated on the revised development plan dated February 8, 2006. The access shall not alter the existing median break on Grant Road.
5. The owner/developer shall install a right turn/deceleration lane with appropriate stacking transitions.
6. Dedication, or verification of existence, of right-of-way, per the *Major Streets and Routes (MS&R) Plan* along the site frontage to a line 75.00 feet northerly of and parallel with the section line/centerline of Grant Road.
7. Owner/developer shall construct a six-foot wide sidewalk along the site frontage on Grant Road.
8. A ten-foot wide non-motorized, public trail easement shall be dedicated along the Rosehill Wash. The easement shall run for the length of the northeast property line along the wash.
9. All drainage crossing the trail easement shall be directed underground.
10. All buildings, or portions of buildings, with 100 foot of adjacent R-3 zoned lots shall be limited to one-story and a maximum height of twenty (20) feet as measured from design grade. Detailed, dimensioned, colored elevations with proposed colors and building materials shall be submitted as a part of development plan review. Color photographs of surrounding properties are to accompany the development plan submittal.
11. Freestanding signs shall be integrated into the landscape plan and architecturally compatible with building design and materials.
12. Any required or proposed masonry screen walls shall be constructed of, or painted with, graffiti-resistant materials. Screen walls visible from the public right-of-way shall incorporate one of the following decorative materials: (a) tile, (b) stone, (c) brick, (d) textured brick/block, (e) a coarse-textured material such as stucco or plaster, or (f) a combination of the above materials. In addition, any continuous wall greater than 75 feet in length and 3 feet in height shall vary the wall alignment (jog, curve, notch, or setback, etc.) and include trees or shrubs in the voids created by the variations.
13. Loading zones and dumpsters are to be located a minimum fifty (50) feet from adjacent R-3 zoned lots and screened to minimize the impact on adjacent residential uses.

14. All walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.
15. Four (4) inch fence block shall not be used for perimeter walls.
16. An archaeological assessment and survey shall be performed by a qualified archaeologist before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and/or associated burial items are discovered, ground disturbing activities in the vicinity of the discovery will cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.
17. “Safe by Design” concepts shall be incorporated in the subdivision plat for review by the Tucson Police Department.
18. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
19. The owner/developer shall install a “No U-turn” sign at the median break at Grant Road and Ridgeway Road prior to the start of construction.
20. The owner/developer shall provide an additional traffic study for the median break to the east when 50% of the project is completed and occupied.
21. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.

Thirteen (13) written approvals and twenty two (22) written protests were received for this case prior to the zoning Examiner’s public hearing on February 2, 2006. Seven (7) of

the protests are within the 150-foot area, representing a 22.92 percent protest by area to the south, zero (0) percent protest by area to the north, 5.4 percent protest area to the east, and .4 percent protest to the west. The protests generally allude to concerns regarding traffic. Because the protest level currently exceeds twenty (20) percent to the south, a three fourths (3/4) majority vote will be necessary to adopt an ordinance rezoning subject property once the conditions of rezoning are met.

**10. ZONING: (C9-05-29) DOS HOMBRES LLC – COLUMBUS BOULEVARD, R-1 TO R-2, CITY MANAGER’S REPORT**

- a. Report from City Manager MARCH21-06-133 WARD 2
- b. Report from Zoning Examiner dated March 3, 2006
- c. Request to rezone approximately 1.5 acres from R-1 (Low-density Residential) to R-2 (Medium Density Residential) zoning. Applicant: Mike Grassinger of The Planning Center, on behalf of the property owners, Tom Bailey of Dos Hombres, LLC.

The rezoning site is located on the northwest corner of Columbus Boulevard and Blacklidge Drive.

The *Grant-Alvernon Area Plan* and the *General Plan* provide land use policy direction for this area. Policies in the *Grant-Alvernon Area Plan* encourage the development of vacant property throughout the area to complement the existing scale and character of the surrounding neighborhood; sensitivity to surrounding uses through the use of creative site design, building orientation, landscaping and screening; and encourages compatible residential in-fill development. The *Plan* recommends enhancement of the visual appearance of the area by providing pedestrian connections to adjacent uses, minimizing the number of access points onto street and protecting the privacy of adjacent residential uses. The applicant’s request is in substantial compliance with the policies in the *Grant-Alvernon Area Plan* and the *General Plan*.

The Zoning Examiner and Development Services Department recommend authorization of R-2 zoning. Should the Mayor and Council choose to approve the rezoning request, it is recommended that the following conditions be included:

1. A subdivision plan in substantial compliance with the preliminary site plan dated November 1, 2005, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 4.1.1. of the *Land Use Code*.
2. The owner/developer shall dedicate a 25-foot radius spandrel at the southeast corner of the site.
3. The owner/developer shall construct public sidewalks along the Columbus Boulevard and Blacklidge Drive street frontages.
4. Any existing curb cuts not used for vehicular access shall be closed.

5. All structures on the site shall complement the surrounding residential developments. Detailed, dimensioned color elevations shall be provided at the time of subdivision plat review and approval by the Community Design Review Committee.
6. Provide augmented landscaping along the northern boundary of the property adjacent to units nine, ten, thirteen and fourteen and along the western boundary, adjacent to units six and seven to assure the privacy of the adjacent residential project.
7. All walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.
8. Four (4) inch or less fence block shall not be used for perimeter walls.
9. An archaeological assessment and survey shall be performed by a qualified archaeologist before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and/or associated burial items are discovered, ground disturbing activities in the vicinity of the discovery will cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.
10. “Safe by Design” concepts shall be incorporated in the subdivision plat for review by the Tucson Police Department.
11. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
12. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.
13. Preparation of a complete Drainage Report, including details of detention/retention, is required.

14. Each detention/retention basin shall include a sediment trap, or other sediment control measures as approved by the City Engineer, to prevent sedimentation of the detention/retention basin. Each sediment trap, or other sediment control measure, shall have a provision for total drainage.
15. Detention/retention basin floors shall be graded to drain either toward the outlet structure or other logical point. Basin floors shall not be flat.
16. Detention/retention basins in or adjacent to the residential area shall be located adjacent to a street or accessible common area. Basin sideslopes in the adjacent area(s) shall be designed and constructed in accordance with the requirements of the Detention/Retention Manual for human activity zones.
17. Rectangular basin shapes shall be avoided unless necessitated by recreational or visual amenities within the basin.
18. Vegetation shall be used as screening and/or security barrier for a minimum of ten percent of the basin perimeter.
19. All security barriers and screening for detention/retention basins shall meet Safe by Design guidelines.

Twelve (12) written approvals and seven (7) written protests were received prior to the Zoning Examiner's public hearing on February 16, 2006. One (1) of the protests is within the 150 foot area, representing a less than one (1) percent protest by area to the north and zero (0) percent protest by area to the east, west, and south. The protest generally allude to traffic congestion and dislike for two story homes.

A simple majority vote will be necessary to adopt an ordinance rezoning the subject property once the conditions of rezoning are met.

## **11. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS**

- a. Report from City Manager MARCH21-06-128 CITY-WIDE

## **12. ADJOURNMENT**

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, March 28, 2006, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.